

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

<p>Applicant's or agent's file reference see form PCT/ISA/220</p>		<p>Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)</p>	
<p>International application No. PCT/EP2005/000111</p>	<p>International filing date (day/month/year) 06.01.2005</p>	<p>Priority date (day/month/year) 13.01.2004</p>	
<p>International Patent Classification (IPC) or both national classification and IPC F16K31/04</p>			
<p>Applicant DRESSER ITALIA S.R.L.</p>			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, Inventive step or Industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the International application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

<p>Name and mailing address of the ISA:</p> <p> European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465</p>	<p>Authorized Officer</p> <p>Rusanu, I</p> <p>Telephone No. +49 89 2399-7280</p> 
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10/586205

13 JUL 2006
AP20 Rec'd PCT/PTO

International application No.
PCT/EP2005/000111

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language english , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material:

a sequence listing

table(s) related to the sequence listing

b. format of material:

in written format

in computer readable form

c. time of filing/furnishing:

contained in the international application as filed.

filed together with the international application in computer readable form.

furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	5
	No: Claims	1-4,6-9
Inventive step (IS)	Yes: Claims	
	No: Claims	5
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations

see separate sheet

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/EP2005/000111

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

Reference is made to the following documents:

D1: US 6 595 487

D2: GB 2 198 766

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-4, 6-9 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (the references applying to this document): a submarine actuator 1 for the actuation of a submarine device 2 comprising a container body (20, 21) (fig. 1, 2 and column 6, lines 16-18 and 36-44) from which a drive shaft 3 projects that is suitable for inserting in a seat of said submarine device and suitable, through its rotation, for actuating said submarine device, said shaft being moved by at least one electric motor (7, 8) arranged inside said container body and actuated by an electric control signal generated by a remote control station (wires 15, 16 and column 5, lines 57-60).

Moreover, a remote operated submarine actuator for a valve, with an electric motor arranged in a container body, has already been disclosed in all the documents cited in the search report.

In D1, there are further disclosed: two electric motors (7, 8), a box-shaped element 20, a gear mechanism 4, the drive shaft 3 that completely crosses the box-shaped element and may provide a visual recognition of the position (see the position sensors indicated at column 6, lines 23-24), an emergency actuation in case of power failure (see column 6, lines 15-16) and the power supply of said electric motors that is carried out through a suitable power supply cable (15, 16) or obtained from electrical power supply lines (batteries 13, 14) associated with the controlled submarine device.

The subject-matter of claim 5 does not involve an inventive step in the sense of Article 33(3) PCT, as a compensation device for the external pressure has already been disclosed in document D1 (column 5, lines 54-56) and the specific membrane compensator is considered

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common general knowledge (see for example document D2, fig. 6).

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